

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
ESTABAN PEREZ, *et al.*,

Plaintiffs,

-against-

50 FOOD CORP., *et al.*,

Defendants.

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17 Civ. 7837 (AT) (BCM)

**ORDER ADOPTING  
REPORT AND  
RECOMMENDATION**

ANALISA TORRES, District Judge:

Having received no objections to the Report and Recommendation (the “R&R”), ECF No. 62, of the Honorable Barbara Moses, the Court reviewed the R&R for clear error, and found none. *Santiago v. Colvin*, 12 Civ. 7052, 2014 WL 1092967, at \*1 (S.D.N.Y. Mar. 17, 2014).

The Court, therefore, ADOPTS the R&R in its entirety. Accordingly, judgment is entered as follows:

- (1) Plaintiffs shall be awarded damages in the aggregate amount of **\$66,490.15** against both Defendants, jointly and severally, consisting of:
  - a. Esteban Perez: **\$25,374.62**, including (a) **\$8,010.15** in unpaid overtime wages, (b) **\$8,010.15** in liquidated damages under state law, (c) **\$5,000** in statutory damages under state law, and (d) **\$4,354.32** in prejudgment interest to date, plus additional prejudgment interest at the rate of **\$1.98 per day** ( $\$8,010.15 \times .09/365$ ) from December 4, 2019 to the date of entry of final judgment.
  - b. Felipe Galindo: **\$15,740.91** including (a) **\$4,127.21** in unpaid overtime wages, (b) **\$4,127.21** in liquidated damages under state law, (c) **\$5,000** in statutory damages under state law, and (d) **\$2,486.49** in prejudgment interest, plus additional prejudgment interest at the rate of **\$1.02 per day** ( $\$4,127.21 \times .09/365$ ) from December 4, 2019 to the date of entry of final judgment.
  - c. Delfino Lopez: **\$25,374.62**, including (a) **\$8,010.15** in unpaid overtime wages, (b) **\$8,010.15** in liquidated damages under state law, (c) **\$5,000** in statutory damages under state law, and (d) **\$4,354.32** in prejudgment interest, plus additional prejudgment interest at the rate of **\$1.98 per day** ( $\$8,010.15 \times .09/365$ ) from December 4, 2019 to the date of entry of final judgment.

(2) Plaintiffs shall be awarded attorney's fees and costs in the amount of **\$23,880**.

In sum, the Court GRANTS Plaintiffs an aggregate judgment of **\$90,370.15** (the total of the \$66,490.15 in damages, and \$23,880 in attorney's fees and costs), plus additional interest as set forth above.

The Clerk of Court is directed to close the case.

SO ORDERED.

Dated: January 2, 2020  
New York, New York



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ANALISA TORRES  
United States District Judge